

**House State Government Subcommittee Amendment No. 1
House State & Local Government Committee**

Amendment No. 1 to SB3528

**Ketron
Signature of Sponsor**

FILED
Date _____
Time _____
Clerk _____
Comm. Amdt. _____

AMEND Senate Bill No. 3528

House Bill No. 3211*

by deleting subsection (a) of § 41-21-244 in Section 1 and by substituting instead the following language:

(1) Subject to the provisions of subdivision (2), in addition to the HIV testing required pursuant to § 41-21-107, upon an inmate's reception, each inmate, regardless of age, housed at a department of correction institution shall undergo HIV testing, with or without the inmate's consent, prior to the inmate's release either on parole or probation pursuant to § 40-35-501(a) or § 40-20-206, or when discharged without further supervision.

(2) The provisions of subdivision (1) shall only apply to an inmate who has not tested positive for HIV based on a previous test conducted by the department while the inmate was incarcerated. Each inmate who tests positive for HIV based on such test shall undergo a confirmatory test and be referred to appropriate counseling when necessary.